

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

MELINDA ELLIS,

Plaintiff,

v.

ALESSI TRUSTEE CORPORATION; et al.,

Defendants.

3:09-CV-0428-LRH-RAM

ORDER

Before the court is third-party plaintiffs' motion to file a sur-reply filed on February 22, 2010. Doc. #41.¹ Third-party plaintiffs seek leave to file a sur-reply to third-party defendants' motion to dismiss arguing that the arguments raised in third-party defendants' reply require additional explanation. *Id.*

A court has the inherent authority to grant leave to a party to file a sur-reply when the information would be germane to the court's evaluation of a pending matter. *See Cedars-Sinai Medical Center v. Shalala*, 177 F.3d 1126, 1129 (9th Cir. 1999). Here, the court has reviewed the papers and pleadings on file in this matter and finds that a sur-reply is unnecessary; the motion has been fully briefed and third-party plaintiffs have filed a thorough opposition of the motion to dismiss. Further, third-party defendants' reply does not raise new arguments warranting a sur-reply.

¹ Refers to the court's docket number.

1 IT IS THEREFORE ORDERED that third-party plaintiffs' motion for leave to file a sur-
2 reply (Doc. #41) is DENIED.

3 IT IS SO ORDERED.

4 DATED this 9th day of April, 2010.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE